

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

BRONCO'S ENTERTAINMENT, LTD., and
RAWSONVILLE LAND CO., INC.,

Plaintiffs,

Case No. 99-70197

Honorable John Corbett O'Meara

v.

CHARTER TOWNSHIP OF VAN BUREN,
MICHIGAN LIQUOR CONTROL
COMMISSION, and JACQUELINE
STEWART,

Defendants.

ORDER

On September 2, 2005, the United States Court of Appeals for the Sixth Circuit entered an order affirming in part and reversing in part this court's entry of judgment for the defendants. The appellate court held that "[a]bsent an appropriate judicial review procedure, [it was] compelled to sever and invalidate the discretionary-denial feature of the licensing ordinance." Bronco's Entertainment, Ltd. v. Charter Township of Van Buren, No. 03-2242, at 2 (6th Cir. Sept. 2, 2005). The appellate court further held that "[w]ith §§ 22-403(i)(7) and 22-403(j) removed, the [remainder of] the ordinance satisfies the requirements of the First Amendment." Id. at 14.

In accordance with the ruling of the Court of Appeals for the Sixth Circuit, it is hereby **ORDERED** that §§ 22-403(i)(7) and 22-403(j) are **STRICKEN** from the ordinance.

s/John Corbett O'Meara
John Corbett O'Meara
United States District Judge

Dated: September 26, 2005